



**CITY OF SCOTTSDALE  
HUMAN RELATIONS COMMISSION  
REGULAR MEETING**

**DRAFT MINUTES**

**Monday, July 13, 2020**

**Meeting Held Electronically**

**PRESENT:** Janice Shimokubo, Chair  
Emily Hinchman, Vice Chair  
James Eaneman  
Marty Day  
Conay Huizar  
Hannellie Mendoza  
Stuart Rhoden

**STAFF:** Sharon Cini  
Brent Stockwell  
Kelly Corsette

**GUESTS:** Alan Rodbell, Chief of Police  
Scott Popp, Scottsdale Police Department  
Garret Wieger, Scottsdale Police Department  
Jared Van Weelde, Scottsdale Police Department

**Call to Order/Roll Call**

Chair Shimokubo called the meeting to order at 5:00 p.m.

**Public Comment**

Chair Shimokubo noted that one comment card was received and reviewed by Commissioners. The comment was not read into the record.

## **1. Approval of minutes from the June 22, 2020 meeting**

Commissioner Mendoza noted that the last sentence before item 4 should say “policy” instead of “recommendation”.

COMMISSIONER RHODEN MOVED TO APPROVE THE JUNE 22, 2020 HUMAN RELATIONS COMMISSION MEETING MINUTES AS AMENDED. VICE-CHAIR HINCHMAN SECONDED THE MOTION, WHICH CARRIED SEVEN (7) TO ZERO (0) BY ROLL CALL VOTE. CHAIR SHIMOKUBO, VICE-CHAIR HINCHMAN, COMMISSIONERS EANEMAN, HUIZAR, DAY, MENDOZA, AND RHODEN VOTED IN THE AFFIRMATIVE. THERE WERE NO DISSENTING VOTES.

## **2. Presentation, discussion and recommendations on the topics and ideas generated at Bridge Forums hosted by HeroZona Foundation**

Police Chief Alan Rodbell reviewed the history behind HeroZona Foundation, dating back to the first Bridge Forum event held in the City of Phoenix in 2015. The organization was originally named the Checkered Flag Foundation and was renamed to HeroZona to reflect the focus on veterans’ issues. The group has now evolved to a focus of bringing together law enforcement and community leadership to discuss community issues and relationships. Chief Rodbell said that he became involved starting with the second bridge event and stressed to participants the importance of focusing on issues and concerns that were brought forth in an actionable way. Scottsdale Police Department brought those items forth into their strategic plan as strategic initiatives.

The next Bridge Forum event will be held in Scottsdale, tomorrow, July 14, 2020, from 8:00 a.m. to 11:00 a.m. Information about the forum, the strategic plan, and police department policies is available on [ScottsdaleAZ.gov/police](http://ScottsdaleAZ.gov/police). The event can be viewed virtually at [thebridgeforum.com](http://thebridgeforum.com). Chief Rodbell discussed things that Scottsdale is not currently doing but plans on doing in the near future as a result of recent national unrest. They are:

- Plans to review the process of responding to calls for service that may require expertise beyond officers’ training. Chief Rodbell noted that the Scottsdale police department has a counseling group that are trained in crisis intervention and will pair crisis counselors with officers when going out on certain calls on a trial basis.
- Possibility of creating an administrative sergeant position for the district stations to review use of force reports and body cameras.
- Plans to increase the number of civilians on the Use of Force Review Board and Major Incident Review Board.

Commissioners were given an opportunity to ask questions. Chief Rodbell said that the steps being taken by the police department are intended to be used as a quality control tactic. He clarified that the ultimate goal of the special unit of police and counselors is to give relief to first responders, making them available for more serious calls for service.

Chair Shimokubo asked if the Use of Force Review Board could take on the task of reviewing reported hate crimes. Chief Rodbell said that the purpose of the board is to focus on use of force or major incidents. He noted that Scottsdale Police Department receives very few hate crimes reports and the internal affairs office does a good job of addressing those complaints.

**3. Presentation, discussion and recommendations regarding Scottsdale Police Department's hate crime data collection, reporting, investigative process and the classification of a hate crime, including strategies for addressing and responding to hate crimes**

Assistant Chief Scott Popp gave a presentation outlining the police department's process for addressing possible hate crimes. He discussed how crimes are reported and investigated and the State of Arizona hate crime classification criteria. Once information is received that a potential hate crime has occurred, an officer or police aide will initiate a report, which is sent to investigations for review. Investigators will either clear the charges, render the case inactive or follow up on the case.

Vice-Chair Hinchman asked what steps the Commission should take when approached with hate crime information or when seeing supposed hate crimes reported through social media. Assistant Chief Popp said the best thing to do is have the victim report directly to the police department. Commissioners also have the ability to make a report.

Assistant Chief Popp said that in the state of Arizona, a hate crime is not considered a crime in and of itself. A person has to be charged with an underlying offence as outlined in the Arizona Revised Statutes. Once they are convicted, it is determined whether a hate crime was motivation for the crime and consideration can be taken by the judge of enhanced sentencing. In order to meet the reporting criteria for the FBI, it must be shown that the offender's motivation is based off of a specific bias.

Commissioners were given an opportunity to ask questions and make comments. Commissioner Rhoden said that reporting no hate crimes could be giving an unrealistic picture of Scottsdale. It might make it easier to address incidents where non-threatening, but offensive and demeaning things happen to people if the state had a hate crimes statute. He opined that Scottsdale needs different language regarding crimes that are committed against people, including language, behaviors and symbols, but do not reach the level of a hate crime. Vice-Chair Hinchman suggested that it could make reporting clearer if hate crimes were reported by specific months instead of reporting quarterly.

Assistant Chief Popp briefly discussed a recently reported hate crime that occurred on June 28, 2020, noting that the case is currently being investigated as an aggravated assault.

**4. Presentation, discussion and recommendations regarding plans to host a series of Town Halls regarding the national discourse on race**

Chair Shimokubo said that following the June meeting, she, Vice-Chair Hinchman, and Commissioner Rhoden worked with staff in looking into in what ways the city could support a town hall concept. Ms. Cini said that the team held three meetings and discussed objectives and considered planning different types of activities such as virtual town halls and in-person town halls. Mr. Stockwell confirmed that the City Manager has given authorization to proceed with developing the town hall concept.

Chair Shimokubo said that the objective of a town hall is to prove to the community that the HRC is being proactive in the national discourse on race and to create and implement a

platform for listening. It is hoped that through these discussions the Commission will come to understand how the community perceives the national discourse on race and ideas will come out for the Commission to pursue. Ideas for a town hall pilot included to offer citizens a video to watch in advance of the town hall or to offer a virtual book discussion. It is anticipated that a town hall can be scheduled for mid-August.

Discussion ensued regarding the town hall process and possible outcomes.

CHAIR SHIMOKUBO MOVED TO MOVE FORWARD WITH THE TOWN HALL WITHIN THE NEXT FOUR TO SIX WEEKS. COMMISSIONER EANEMAN SECONDED THE MOTION, WHICH CARRIED SEVEN (7) TO ZERO (0) BY ROLL CALL VOTE. CHAIR SHIMOKUBO, VICE-CHAIR HINCHMAN, COMMISSIONERS EANEMAN, HUIZAR, DAY, MENDOZA, AND RHODEN VOTED IN THE AFFIRMATIVE. THERE WERE NO DISSENTING VOTES.

CHAIR SHIMOKUBO MOVED TO RECOMMEND THAT STAFF RESEARCH BEST PRACTICES AND REPORT TO THE COMMISSION DURING THE AUGUST HRC MEETING. COMMISSIONER EANEMAN SECONDED THE MOTION, WHICH CARRIED SEVEN (7) TO ZERO (0) BY ROLL CALL VOTE. CHAIR SHIMOKUBO, VICE-CHAIR HINCHMAN, COMMISSIONERS EANEMAN, HUIZAR, DAY, MENDOZA, AND RHODEN VOTED IN THE AFFIRMATIVE. THERE WERE NO DISSENTING VOTES.

**5. Presentation, discussion and recommendations regarding the June 27, 2020 letter sent to City Council from Chair and Vice chair**

Chair Shimokubo thanked Commissioner Eaneman for supplying the draft letter for the Commission to review. She noted that Commissioners were each given an opportunity to review the letter prior to it being delivered to Mayor and Council.

**6. Presentation, discussion and recommendation on actions, events, policies, programs, and/or City Code amendments that the City of Scottsdale could implement that would encourage mutual respect and understanding among people, discourage prejudice and discrimination, and to work towards cultural awareness and unity on policies that promote equality and stronger protections against discrimination**

Discussion ensued regarding actions, events, policies, programs, and/or City Code amendments that the City of Scottsdale could implement that would encourage mutual respect and understanding among people, discourage prejudice and discrimination, and to work towards cultural awareness and unity on policies that promote equality and stronger protections against discrimination.

Commissioner Mendoza pointed out that the FBI hate crime definition involves violence, which is why many crimes do not reach the level of a hate crime. She suggested that adopting the City of Tempe's non-discrimination ordinance would accomplish what the Commission is hoping to achieve. Vice-Chair Hinchman opined that it is important to get an anti-discrimination ordinance including everything in place now. She would like to bring in an equal rights amendment too. Commissioner Rhoden feels that the ordinance should be to the level of classifying non-violent incidents and offensive speech as a misdemeanor.

Mr. Stockwell said that staff can present during the August meeting additional information on what a hate crimes ordinance might contain. He noted that the non-discrimination ordinance issue has been brought up to City Council in the past and they have taken the position of advocating for a state law change to include sexual and gender identity.

Discussion continued regarding the difference between a non-discrimination ordinance and a hate crimes ordinance; approaching the current City Council with a recommendation with the plan to repeat the plea with the new City Council if necessary; Commissioners researching ordinances in other communities and starting a draft; and drafting a letter to City Council regarding a non-discrimination ordinance. Mr. Stockwell explained that Commissioners are not able to work together on a project outside of public forum if the goal is to come forward with an actionable item.

CHAIR SHIMOKUBO MOVED TO AGENDIZE FOR THE AUGUST 10, 2020 MEETING DISCUSSION TO RESOLVE THE RECOMMENDATION THE HUMAN RELATIONS COMMISSION WISHES TO MAKE TO CITY COUNCIL REGARDING A NON-DISCRIMINATION ORDINANCE. VICE-CHAIR HINCHMAN SECONDED THE MOTION, WHICH CARRIED SEVEN (7) TO ZERO (0) BY ROLL CALL VOTE. CHAIR SHIMOKUBO, VICE-CHAIR HINCHMAN, COMMISSIONERS EANEMAN, HUIZAR, DAY, MENDOZA, AND RHODEN VOTED IN THE AFFIRMATIVE; THERE WERE NO DISSENTING VOTES

**7. Discussion, updates and recommendations regarding recent diversity and inclusion related activities and incidents impacting the city of Scottsdale**

- Anti-mask protest and Councilman Guy Phillips public comments

Chair Shimokubo said that following the June 24, 2020 anti-mask protest, during which Councilman Guy Phillips made offensive comments, several members of the public asked whether the Human Relations Commission could write a letter condemning the activity. The City Attorney's Office advised that the only way for the HRC to comment would be through an open meeting decision. Three Commissioners sent letters as individual citizens.

Chair Shimokubo proposed that the HRC write an ordinance to censure any behavior of an elected official relating to prejudice and discrimination.

VICE-CHAIR HINCHMAN MOVED TO RECOMMEND THAT THE HRC CREATE A POLICY OR PROCESS TO PROVIDE TO CITY COUNCIL FOR A FORMAL CENSURE IN CASES WHERE A CITY COUNCIL MEMBER OR CANDIDATE ENGAGES IN, SUPPORTS, OR PROMOTES PREJUDICED SPEECH OR ACTIONS.

Mr. Stockwell warned that the Commission should make sure any recommendation they take is within the existing purview of the Commission. He noted that City Council does not have the express or implied authority for censuring one of its members. It would take at a minimum a charter amendment approved by a vote of the public to give them that right.

Vice-Chair Hinchman retracted her motion.

Commissioner Huizar opined that the consideration of censuring is a slippery slope of possibly infringing on freedom of speech. She posed the rhetorical question of who would determine

what prejudiced speech and/or actions are. She noted that people are offended by different things and the Commission needs to be careful when considering what is considered offensive.

Mr. Stockwell said it is important to keep in mind that City Council has outlined subjects they want advice on. The Commission should be careful about advocating for certain policy matters and might consider leaving certain matters to outside organizations and individuals.

Commissioners requested that further discussion be agendaized for the August meeting.

- Regional City Diversity, Equity, Inclusion office dialogue – updates

Ms. Cini said that she will be attending a meeting of the Regional Diversity offices tomorrow.

She announced that in light of the COVID-19 pandemic, the Regional Unity Festival and Walk will be planned as a virtual event this season.

## **8. Identification of Future Agenda Items**

Agenda items for the August 10, 2020 meeting will include:

- Resolution to resolve the non-discrimination ordinance for presentation to the City Council
- Discussion about having council take the necessary steps to address prejudicial/discriminatory language with elected officials

## **Adjournment**

COMMISSIONER RHODEN MOVED TO ADJOURN THE MEETING. CHAIR SHIMOKUBO SECONDED THE MOTION, WHICH CARRIED (7) TO ZERO (0) BY ROLL CALL VOTE. CHAIR SHIMOKUBO, VICE-CHAIR HINCHMAN, COMMISSIONERS EANEMAN, HUIZAR, DAY, MENDOZA, AND RHODEN VOTED IN THE AFFIRMATIVE. THERE WERE NO DISSENTING VOTES.

With no further business to discuss, being duly moved and seconded, the meeting adjourned at 7:55 p.m.

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